

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

---

SUHAIL NAJIM ABDULLAH AL SHIMARI, <i>et al.</i> ,	)	
	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 1:08-cv-0827 LMB-JFA
	)	
CACI PREMIER TECHNOLOGY, INC.,	)	
	)	
Defendant,	)	
	)	
<hr/>		
CACI PREMIER TECHNOLOGY, INC.,	)	
	)	
Third-Party Plaintiff,	)	
	)	
v.	)	
	)	
UNITED STATES OF AMERICA, and	)	
JOHN DOES 1-60,	)	
Third-Party Defendants.	)	
	)	

---

**CACI PT'S MEMORANDUM IN SUPPORT  
OF ITS MOTION TO FILE DOCUMENTS UNDER SEAL**

This action centers on Plaintiffs' allegations that they were mistreated while in United States' custody at the Abu Ghraib detention facility in Iraq. At all times relevant to the allegations, Abu Ghraib was under the control of United States military as part of Operation Iraqi Freedom. The United States, now a party to this action, has provided discovery pursuant to the Protective Order in this case. *See* Dkt. #211.

Defendant CACI Premier Technology, Inc. ("CACI PT") seeks to file under seal its Motion *In Limine* to Exclude the Taguba and Jones/Fay Reports. CACI PT's motion refers to, quotes, and describes information that was designated as subject to the Protective Order by the

United States. By the terms of the Protective Order, this material may be filed only if it is filed under seal. Dkt. #211 at ¶ 9.

Under *Ashcraft v. Conoco, Inc.*, 218 F.3d 282, 288 (4th Cir. 2000), an order to seal documents is valid and appropriate when the Court (1) provides notice to the public and gives the public an opportunity to object; (2) considers less drastic alternatives; and (3) provides specific findings in support of its decision to seal. Here, the public has been given notice of CACI PT's motion to seal. The motion to seal and supporting memorandum have been filed publicly. Less drastic alternatives to filing under seal are inappropriate. These documents relate to highly sensitive information about U.S. military operations in Iraq, and have been designated as subject to the Protective Order in this action. CACI PT has filed a public version of its opposition that redacted references to protected information.

Respectfully submitted,

/s/ John F. O'Connor

John F. O'Connor  
Virginia Bar No. 93004  
Linda C. Bailey (admitted *pro hac vice*)  
Molly Bruder Fox (admitted *pro hac vice*)  
STEPTOE & JOHNSON LLP  
1330 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 429-3000 – telephone  
(202) 429-3902 – facsimile  
[joconnor@steptoe.com](mailto:joconnor@steptoe.com)  
[lbaily@steptoe.com](mailto:lbaily@steptoe.com)  
[mbfox@steptoe.com](mailto:mbfox@steptoe.com)

William D. Dolan, III  
Virginia Bar No. 12455  
LAW OFFICES OF WILLIAM D.  
DOLAN, III, PC  
8270 Greensboro Drive, Suite 700  
Tysons Corner, VA 22102  
(703) 584-8377 – telephone  
[wdolan@dolanlaw.net](mailto:wdolan@dolanlaw.net)

*Counsel for Defendant CACI Premier  
Technology, Inc.*

## CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of November, 2018, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

John Kenneth Zwerling  
The Law Offices of John Kenneth Zwerling, P.C.  
114 North Alfred Street  
Alexandria, VA 22314  
[jz@zwerling.com](mailto:jz@zwerling.com)

Lauren Wetzler  
United States Attorney Office  
2100 Jamieson Avenue  
Alexandria, VA 22314  
[lauren.wetzler@usdoj.gov](mailto:lauren.wetzler@usdoj.gov)

/s/ John F. O'Connor

John F. O'Connor  
Virginia Bar No. 93004  
Attorney for Defendant CACI Premier Technology,  
Inc.  
STEPTOE & JOHNSON LLP  
1330 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 429-3000 – telephone  
(202) 429-3902 – facsimile  
[joconnor@steptoe.com](mailto:joconnor@steptoe.com)